



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/024,050	12/21/2001	David Carlton Moore	088305-0144	5341

22428 7590 11/15/2006

FOLEY AND LARDNER LLP
SUITE 500
3000 K STREET NW
WASHINGTON, DC 20007

EXAMINER

LUDWIG, MATTHEW J

ART UNIT	PAPER NUMBER
----------	--------------

2178

DATE MAILED: 11/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/024,050

Applicant(s)

MOORE, DAVID CARLTON

Examiner

Matthew J. Ludwig

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 6-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is in response to the Request for Reconsideration filed 06/28/2006 with original filing date of 12/21/2001.
2. Claims 1-4 and 6-29 are pending. Applicant has added claim 29. Claims 1, 8, 13, 19, 24 and 25 are independent claims.
3. Claims 1-4 and 6-27, and 29 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Megiddo in view of Becker. Claim 28 remains rejected under 35 U.S.C. 103(a) as being unpatentable over Megiddo in view of Becker and further in view of Dillon.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1-4, 6-27, and 29** are rejected under 35 U.S.C. 103(a) as being unpatentable by Megiddo et al. US006892181B1 filed 09/08/2000 (hereinafter Megiddo), in view of Becker et al. US006834372B1 filed 02/10/2000 (hereinafter Becker).

In regard to independent claim 1, providing an image on said display, (see Megiddo at col. 2, line 65 through col. 3, line 45, also see Fig. 2-3b), discloses user's terminal with internet browser such as Netscape™, intelligent browser cache and bookmark memory, wherein the browser displays the image whose URL is:

<http://ad.doubleclick.net/ad/homepgtable.av.com/fullbanner; sz=468.times.60;>

Art Unit: 2178

said identifier being viewable only during a predetermined time criteria, (see Megiddo at col. 2, line 65 through col. 4, line 45, also see Fig. 2-3b), discloses user's terminal with internet browser such as Netscape™, intelligent browser cache and bookmark memory, wherein the browser displays the image whose URL is:

<http://ad.doubleclick.net/ad/homepgtable.av.com/fullbanner;sz=468.times.60>; wherein

the bookmark memory is either permanently maintained or temporarily stored for a predetermined period of time in the user's terminal to allow the user the ability to view stored ads at a later time; and

the intelligent cache system pays attention to (monitors) pages that are designed by their authors to refresh each time they are requested or at short time intervals and the corresponding discussion below describe how the system pays attention to author's pages.

The META element of an HTML document is often used to identify an expiration date. For example the following META declaration:

<META http-equiv="Expires" content="Mon, 1 May 2000 01:00:00 GMT">

can be used by caches to determine when to fetch a fresh copy of the associated document.

Another example of a META declaration is:

<META http-equiv="refresh" content="60">

which is often used by the browser to repeatedly fetch a fresh copy of the associated document every 60 seconds.

Megiddo does not explicitly teach, **identifying via an identifier on said display a status of said image wherein the step of identifying via identifier on said display a status of said**

Art Unit: 2178

image comprises the step of embedding a link to an identifier, however (see Becker at col. 1, line 65 through col. 2, line 30), provides a web browser program that enables a computer to present historical information about hyperlinks shown on web pages and determines whether receiving certain user input, such as placement of a cursor over a hyperlink for a certain time. When this occurs, the computer accesses a database to determine whether the computer user has previously selected the hyperlink. Some examples of the underlying data include web pages, graphics images, software programs, and the like.

If the user has never selected the hyperlink, no action needs to be taken. However, if the database shows that the user has previously selected this hyperlink, the computer consults the database to gather characteristics of the underlying data obtained from previous selections of the hyperlink. Such characteristics may include, for example, the data's size, date of last download, expired or "under construction" status of web site, errors occurring during the download, etc. The computer presents text, graphics, sounds, and/or tactile output to report the characteristics gathered from the database.

In a different embodiment, the computer automatically compares all hyperlinks on the current web page to the historical database irrespective of user input, to more quickly report the results of this comparison when the cursor touches the hyperlinks.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified teaching of Megiddo, wherein providing an image on said display, and identifier being viewable only during a predetermined time criteria, to include a means of identifying via an identifier on said display a status of said image wherein identifying via identifier on said display a status of said image comprises the step of embedding a link to an

Art Unit: 2178

identifier of Becker. One of ordinary skill would be motivated to perform such a modification, because they are from the same field of endeavor of web browser and its utilization of the embedded link (URL) for displaying images etc, on said display and enables a computer to present historical information about hyperlinks shown on web pages (see Becker at col. 1, line 65 through col. 2, line 30).

In regard to independent claims 8, 13, 19, 24 and 25 incorporate substantially similar subject matter as cited in claims 1, and further view of the following, and are similarly rejected along the same rationale.

means for loading a webpage on a computer, said webpage including at least one image; means for relating a time criteria to said image, and computer readable program code for causing a machine to carry out the following method steps: generating an image to be depicted on said WebPage, said embedded link automatically expiring after a pre-determined maximum time limit, (see Megidido at col. 2, line 65 through col. 4, line 45, also see Fig. 2-3b), discloses user's terminal with internet browser such as Netscape™, intelligent browser cache and bookmark memory, wherein the browser displays the image whose URL is: <http://ad.doubleclick.net/ad/homepgtable.av.com/fullbanner;sz=468.times.60>; wherein

the bookmark memory is either permanently maintained or temporarily stored for a predetermined period of time in the user's terminal to allow the user the ability to view stored ads at a later time; and

the intelligent cache system pays attention to (monitors) pages that are designed by their authors to refresh each time they are requested or at short time intervals and the corresponding discussion below describe how the system pays attention to author's pages.

The META element of an HTML document is often used to identify an expiration date.

For example the following META declaration:

```
<META http-equiv="Expires" content="Mon, 1 May 2000 01:00:00 GMT">
```

can be used by caches to determine when to fetch a fresh copy of the associated document.

Another example of a META declaration is:

```
<META http-equiv="refresh" content="60">
```

which is often used by the browser to repeatedly fetch a fresh copy of the associated document every 60 seconds.

and embedding a link to an identifier for identifying on said WebPage that said image is new, and means for identifying on said webpage status of said image until said time criteria is satisfied, however (see Becker at col. 1, line 65 through col. 2, line 30), provides a web browser program that enables a computer to present historical information about hyperlinks shown on web pages and determines whether receiving certain user input, such as placement of a cursor over a hyperlink for a certain time. When this occurs, the computer accesses a database to determine whether the computer user has previously selected the hyperlink. Some examples of the underlying data include web pages, graphics images, software programs, and the like.

If the user has never selected the hyperlink, no action needs to be taken. However, if the database shows that the user has previously selected this hyperlink, the computer consults the database to gather characteristics of the underlying data obtained from previous selections of the hyperlink. Such characteristics may include, for example, the data's size, and date of last

Art Unit: 2178

download, expired or "under construction" status of web site, errors occurring during the download, etc. The computer presents text, graphics, sounds, and/or tactile output to report the characteristics gathered from the database.

In a different embodiment, the computer automatically compares all hyperlinks on the current web page to the historical database irrespective of user input, to more quickly report the results of this comparison when the cursor touches the hyperlinks.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified teaching of Megiddo, for loading a webpage on a computer, said webpage including at least one image; means for relating a time criteria to said image, and computer readable program code for causing a machine to carry out the following method steps: generating an image to be depicted on said WebPage, said embedded link automatically expiring after a pre-determined maximum time limit, to include a means of embedding a link to an identifier for identifying on said WebPage that said image is new, and means for identifying on said webpage status of said image until said time criteria is satisfied of Becker. One of ordinary skill would be motivated to perform such a modification, because they are from the same field of endeavor of web browser and its utilization of the embedded link (URL) for displaying images etc, on said display and enables a computer to present historical information about hyperlinks shown on web pages (see Becker at col. 1, line 65 through col. 2, line 30).

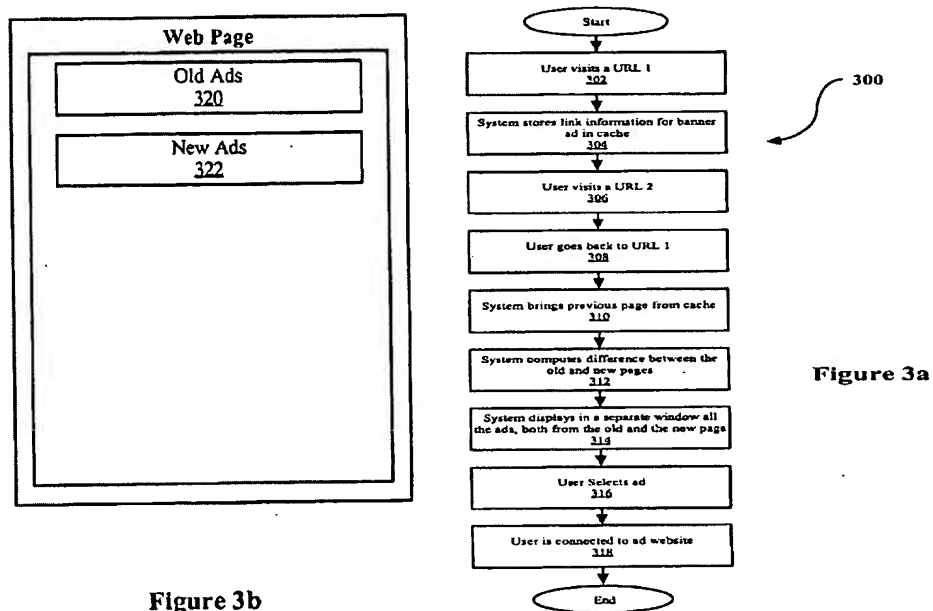
In regard to dependent claim 2, wherein a status comprises one of a new image, an altered image, and a current image (see Megiddo at col. 2, line 65 through col. 4, line 45, also see Fig. 2-3b), discloses user's terminal with internet browser such as Netscape™, intelligent

Art Unit: 2178

browser cache and bookmark memory, wherein the browser displays the image whose URL is:

<http://ad.doubleclick.net/ad/homepgtable.av.com/fullbanner;sz=468.times.60>; wherein

An illustration of the detection of changes in web pages is described in FIGS. 3a-3b



where old ads are represented in window 320 and the new ads are represented in window 322. Specific ad window sizes, placement or the number thereof are not critical to practicing of the invention. For instance, ads could also be displayed in sorted order based on words in the links or words displayed. Referring back to FIG. 3a, in step 316.

In regard to dependent claim 3, wherein said predetermined time criteria is a maximum time limit, (see Megiddo at col. 2, line 65 through col. 4, line 45, also see Fig. 2-3b), discloses user's terminal with internet browser such as Netscape™, intelligent browser cache and bookmark memory, wherein the browser displays the image whose URL is:

<http://ad.doubleclick.net/ad/homepgtable.av.com/fullbanner;sz=468.times.60>.

In regard to dependent claim 4, wherein said providing an image step comprises loading a WebPage including said image, (see Megiddo at col. 2, line 65 through col. 4, line 45, also see Fig. 2-3b), discloses user's terminal with internet browser such as Netscape™, intelligent browser cache and bookmark memory, wherein the browser displays the image whose URL is: <http://ad.doubleclick.net/ad/homepgtable.av.com/fullbanner;sz=468.times.60>.

In regard to dependent claim 5, wherein the step of identifying via an identifier on said display a status of said image comprises the step of embedding a link to said identifier, however (see Becker at col. 1, line 65 through col. 2, line 30), provides a web browser program that enables a computer to present historical information about hyperlinks shown on web pages and determines whether receiving certain user input, such as placement of a cursor over a hyperlink for a certain time. When this occurs, the computer accesses a database to determine whether the computer user has previously selected the hyperlink. Some examples of the underlying data include web pages, graphics images, software programs, and the like.

If the user has never selected the hyperlink, no action needs to be taken. However, if the database shows that the user has previously selected this hyperlink, the computer consults the database to gather characteristics of the underlying data obtained from previous selections of the hyperlink. Such characteristics may include, for example, the data's size, and date of last download, expired or "under construction" status of web site, errors occurring during the download, etc. The computer presents text, graphics, sounds, and/or tactile output to report the characteristics gathered from the database.

In a different embodiment, the computer automatically compares all hyperlinks on the current web page to the historical database irrespective of user input, to more quickly report the results of this comparison when the cursor touches the hyperlinks.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified teaching of Megiddo, wherein providing an image on said display, and identifier being viewable only during a predetermined time criteria, to include a means of identifying via an identifier on said display a status of said image wherein identifying via identifier on said display a status of said image comprises the step of embedding a link to an identifier of Becker. One of ordinary skill would be motivated to perform such a modification, because they are from the same field of endeavor of web browser and its utilization of the embedded link (URL) for displaying images etc, on said display and enables a computer to present historical information about hyperlinks shown on web pages (see Becker at col. 1, line 65 through col. 2, line 30).

In regard to dependent claim 6, further comprising the step of removing said embedded link after said predetermined time criteria, (see Megiddo at col. 2, line 65 through col. 4, line 45, also see Fig. 2-3b), discloses user's terminal with internet browser such as Netscape™, intelligent browser cache and bookmark memory, wherein the browser displays the image whose URL is:

<http://ad.doubleclick.net/ad/homepgtable.av.com/fullbanner;sz=468.times.60>; wherein

the bookmark memory is either permanently maintained or temporarily stored for a predetermined period of time in the user's terminal to allow the user the ability to view stored ads at a later time; and

Art Unit: 2178

the intelligent cache system pays attention to (monitors) pages that are designed by their authors to refresh each time they are requested or at short time intervals and the corresponding discussion below describe how the system pays attention to author's pages.

The META element of an HTML document is often used to identify an expiration date. For example the following META declaration:

```
<META http-equiv="Expires" content="Mon, 1 May 2000 01:00:00 GMT">
```

can be used by caches to determine when to fetch a fresh copy of the associated document.

Another example of a META declaration is:

```
<META http-equiv="refresh" content="60">
```

which is often used by the browser to repeatedly fetch a fresh copy of the associated document every 60 seconds.

Examiner read the above in the broadest reasonable interpretation to the claim limitation, wherein removing said embedded link after said predetermined time criteria would have been an obvious variant of fetch a fresh copy of the associated document, to a person of ordinary skill in the art at the time the invention was made.

In regard to dependent claim 7, incorporate substantially similar subject matter as cited in claims 1, 24-25, and further view of the following, and is similarly rejected along the same rationale.

...said identifier is performed automatically whenever the status of said image changes, (see Megidido at col. 2, line 65 through col. 4, line 45, also see Fig. 2-3b), discloses

Art Unit: 2178

the intelligent cache system keeps and indexes the hyperlinks contained in such pages. While the user navigates through a web site, ads contained within the web pages are automatically saved to bookmark memory without adding, clicking, or indicating to view any particular ad (see illustration of the detection of changes in web pages is described in FIGS. 3a-3b).

In regard to dependent claim 9, incorporate substantially similar subject matter as cited in claim 2, and is similarly rejected along the same rationale.

In regard to dependent claim 10, incorporate substantially similar subject matter as cited in claim 4, and is similarly rejected along the same rationale.

In regard to dependent claim 11, incorporate substantially similar subject matter as cited in claim 3, and is similarly rejected along the same rationale.

In regard to dependent claim 12, incorporate substantially similar subject matter as cited in claims 2-3, 7, and is similarly rejected along the same rationale.

In regard to dependent claims 14-16 respectively, incorporate substantially similar subject matter as cited in claims 2-4 respectively and are similarly rejected along the same rationale.

In regard to dependent claims 17-18, incorporate substantially similar subject matter as cited in claims 1-3, 24-25, and are similarly rejected along the same rationale.

In regard to dependent claims 20-23, 26-27 and 29, incorporate substantially similar subject matter as cited in claims 1-3, 7, 24-25, and are similarly rejected along the same rationale.

Art Unit: 2178

6. **Claim 28** are rejected under 35 U.S.C. 103(a) as being unpatentable by Megiddo et al.

US006892181B1 filed 09/08/2000 (hereinafter Megiddo), in view of Becker et al.

US006834372B1 filed 02/10/2000 (hereinafter Becker), further view of Dillon et al.

US006658463B1 filed 02/04/2000 (hereinafter Dillon).

In regard to dependent claim 28, Megiddo and Becker do not explicitly teach, **wherein said time criteria is a hit count**, however (see Dillon at col. 18, line 45 through col. 24, line 10,)), discloses the HTTP version 1.1 with extension to support multicast preloading for determine whether to validate its URL using, a URLPopularity field to an HTTP response. This field identifies the relative popularity of the URL to other URLs which are being multicast. The URL Popularity field holds an 8 digit unsigned hexadecimal number. The field contains the Mcast Expiration, which includes a McastExpiration header field to an HTTP response. This field contains, like an Expires field, an HTTP-date field. It may also contain 0, which means consider the URL expired. The downstream proxy server 104, 112, 204 uses this field to determine whether to validate its URL cache entry by making a GET IF MODIFIED SINCE request), and cache hit reports wherein AgedAccessCounter--a 32-bit unsigned counter which is increased with every request for the-URL and with each usage report for the URL and which is reduced to age out stale entries. ExpirationTime--holds the GMT time when this URL expires.

Examiner read the above in the broadest reasonable interpretation to the claim limitation, wherein time criteria is a hit count would have been an obvious variant of AgedAccessCounter--a 32-bit unsigned counter which is increased with every request for the-URL and with each usage report for the URL and which is reduced to age out stale entries. ExpirationTime--holds

Art Unit: 2178

the GMT time when this URL expires (see Applicants invention specification at page 6 paragraph [0023], states Alternatively, if the time criteria is a hit count, a web server hosting the WebPage or computer accessing the WebPage compares the hit count to the time criteria to determine if the time criteria has been satisfied. After the time criteria is satisfied, the embedded link to a "new status" identifier is removed in step 125. The embedded link can optionally be effectively removed, for example, by reducing the size of the image to be displayed to substantially zero, or by physically removing the code linking the identifier to the WebPage).

Using the broadest reasonable interpretation HTTP version 1.1 with extension to support multicast preloading for determine whether to validate its URL using, a URLPopularity field to an HTTP response. This field identifies the relative popularity of the URL to other URLs which are being multicast. The URL Popularity field holds an 8 digit unsigned hexadecimal number. The field contains the Mcast Expiration, which includes a McastExpiration header field to an HTTP response. This field contains, like an Expires field, an HTTP-date field. It may also contain 0, which means consider the URL expired. The downstream proxy server 104, 112, 204 uses this field to determine whether to validate its URL cache entry by making a GET IF MODIFIED SINCE request), and cache hit reports wherein AgedAccessCounter--a 32-bit unsigned counter which is increased with every request for the-URL and with each usage report for the URL and which is reduced to age out stale entries. ExpirationTime--holds the GMT time when this URL expires, would have been an obvious inherently to a person of ordinary skill in the art at the time the invention was made to appreciate the benefit of HTTP Version 1.1, which provides URLPopularity field to validate the URL based upon a McastExpiration header field to an HTTP response, AgedAccessCounter--a 32-bit unsigned counter which is increased with

Art Unit: 2178

every request for the-URL and with each usage report for the URL and which is reduced to age out stale entries. ExpirationTime--holds the GMT time when this URL expires, such as contain 0 which means consider the URL expired which relating to the downstream proxy server uses this field to determine whether to validate its URL cache entry by making a GET IF MODIFIED SINCE request for validating the URL request from browser.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified teaching of Megiddo, wherein providing an image on said display, and identifier being viewable only during a predetermined time criteria, to include a means of identifying via an identifier on said display a status of said image wherein identifying via identifier on said display a status of said image comprises the step of embedding a link to an identifier of Becker, and further to include a means of said time criteria is a hit count of Dillon . One of ordinary skill would be motivated to perform such a modification, because they are from the same field of endeavor of web browser and its utilization of the embedded link (URL) for displaying images etc, on said display and enables a computer to enable web browser to validate a URL (i.e. GET IF MODIFIED SINCE) request wherein a web server (or a proxy server) either responds with a status code indicating that the URL has not changed or with the URL content if the URL has changed since the requested date and time advantages of reducing network utilization and reduced response time when they are able to satisfy requests with cached URLs against the he URL content if the URL has changed since the requested date and time (see Dillon at col. 1, line 20 through col. 3, line 40).

Response to Arguments

7. Applicant's arguments filed 6/28/2006 have been fully considered but they are not persuasive.

Applicant argues on pages 6 and 7 of the request for reconsideration that Meggido fails to disclose either of the limitations of claim 1 of “identifying via an identifier on said display a status of said image, said identifier being viewable only during a predetermined time criteria” or “wherein the step of identifying via an identifier on said display a status of said image comprises the step of embedding a link to said identifier.” Furthermore, applicant states the Meggido reference fails to disclose identifying via an identifier on a display a status of an image, where the identifier is viewable only during a predetermined time criteria.

The Examiner believes the reference to Megiddo provides a suggestion of both an image on a display and identifying via an identifier on said display a status of said image, said identifier being viewable only during a predetermined time criteria. More specifically, the Megiddo reference provides metadata which acts as an identifier for the image. Because the claim limitations are to be given their broadest reasonable interpretation within the scope of the art, if the metadata suggests an identifier then the status of said image could be found within the same metadata. Thus,

<META http-equiv = “Expires” content = “Mon, 1 May 2000 01:00:00 GMT”> can be used by caches to determine when to fetch a fresh copy of the associated document. Therefore, the image is identified through the metadata and viewable on the display for a period of time based upon the information found within the metadata. See Megiddo, col. 2, lines 55-65 through col. 3, lines 1-45. Megiddo does not explicitly teach, “identifying via an identifier on said display

Art Unit: 2178

a status of said image wherein the step of identifying via identifier on said display a status of said image comprises the step of embedding a link to an identifier. However, the secondary reference to Becker provides a web browser program that enables a computer to present historical information related to hyperlinks shown on web pages. This could be done with reference to a certain user input such as placement of a cursor over a hyperlink for a certain time. The reference to Becker suggests a way of embedding links to the metadata (identifier) and present the links or content to a user as a webpage. The content is embedded to the link upon a mouse over event and therefore suggests a method for identifying and information retrieval based upon metadata identifying an image.

In reference to dependent claim 2, the applicant argues on page 8 of the request for reconsideration that Meggido does not suggest that any identifier identifying the ad status is viewable only during a predetermined time criteria and that the listing of the ads in the new and old ad boxes does not depend upon any identifier being viewable only during a predetermined time criteria. However, the Examiner would like to point out the content which is embedded to the link upon a mouse over event and therefore suggests a method for identifying and information retrieval based upon metadata identifying an image. Because the claim limitations are to be given their broadest reasonable interpretation within the scope of the art, if the metadata suggests an identifier than the status of said image could be found within the same metadata. Thus,

<META http-equiv = "Expires" content = "Mon, 1 May 2000 01:00:00 GMT"> can be used by caches to determine when to fetch a fresh copy of the associated document. Therefore, the image is identified through the metadata and viewable on the display for a period of time

Art Unit: 2178

based upon the information found within the metadata. See Megiddo, col. 2, lines 55-65 through col. 3, lines 1-45.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

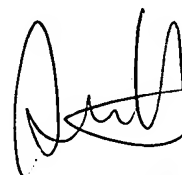
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Ludwig whose telephone number is 571-272-4127. The examiner can normally be reached on 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2178

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ML



STEPHEN HONG
SUPERVISORY PATENT EXAMINER